

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
March 27, 2006

D045539 People v. Atwood

Atwood's convictions are affirmed. The sentence is vacated and the case is remanded for the purpose of resentencing the defendant. Aaron, J.; We Concur: McConnell, P.J., Haller, J.

D044938 Arroyo v. City of San Diego

The judgment on Arroyo's intentional discrimination cause of action is reversed. We remand for a trial on Arroyo's claim that the City's refusal to promote Arroyo in 1998 constituted unlawful discrimination based on his national origin. The judgment on Arroyo's retaliation cause of action is affirmed to the extent it holds the City liable for unlawful retaliation and awards him \$750,000 in noneconomic damages. We strike the award of economic damages on the retaliation claim. The parties to bear their own costs on appeal. Haller, J.; We Concur: Nares, Acting P.J., Aaron, J.

D048273 People v. Superior Court of San Diego County/Comaduran

The petition is denied.

D048276 People v. Superior Court of San Diego County/Taylor et al.

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
March 28, 2006

D045156 Allegretti & Company v. County of Imperial

The judgment is affirmed. O'Rourke, J.; We Concur: Huffman, Acting P.J., McDonald, J.

D047473 In re Brianna E. et al., Juveniles

The judgments are affirmed. Benke, Acting P.J.; We Concur: Huffman, J., Nares, J.

D047448 In re M.N., a Juvenile

The appeal is dismissed. O'Rourke, J.; We Concur: McConnell, P.J., McIntyre, J.

D046176 People v. O'Connor

The judgment is affirmed. Haller, J.; We Concur: McIntyre, J., Aaron, J.

D047815 In re Anthony G., a Juvenile

The appeal is dismissed. McIntyre, J.; We Concur: Benke, Acting P.J., McDonald, J.

D047967 In re James on Habeas Corpus

The petition is denied.

D048146 Panther v. Superior Court of San Diego County/Michell

At the request of petitioner, the petition for writ of mandate is dismissed.

D047735 Fairman v. Superior Court of San Diego County/People

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
March 29, 2006

D048069 Mallory N. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Mallory N. has notified the court that a petition for writ of mandate under California Rules of Court, rule 38.1 and 1436.5 will not be filed as there are no viable issues for writ review. The case is dismissed.

D048278 Hamlin, Jr. v. Superior Court of San Diego County/People

The petition is denied.

D045393 People v. Reyes

The petition for rehearing is denied.

D045867 People v. Harris

The judgment is affirmed. McDonald, J.; We Concur: Huffman, Acting P.J., Aaron, J.

D046103 Rancho Santa Fe Association v. Dolan-King

The request for publication is denied.

D046150 People v. Williams

The trial court's finding that Williams's prior felony conviction for battery with serious bodily injury constitutes a serious or violent felony is reversed. The sentence imposed by the trial court for Williams's conviction of possession of cocaine base was improper. The sentence is stricken and the case is remanded to the trial court for resentencing. In all other aspects, the judgment is affirmed. Huffman, Acting P.J.; We Concur: Haller, J., McDonald, J.

D048279 Robert M. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The petition is denied.

D047076 United Services Automobile Association v. Superior Court of San Diego County/Maria Norton

The request for rehearing and/or reconsideration of the court's ruling on petitioner's writ of mandate is denied.

D045247 Thornburg v. Superior Court/Bactes Imaging Solutions, Inc.

Let a writ issue directing the trial court to vacate its order sustaining Bactes's demurrer without leave to amend and enter a new order consistent with the views we have expressed. Costs in the writ proceeding are awarded to Thornburg. CERTIFIED FOR PUBLICATION Benke, J.; We Concur: McConnell, P.J., Haller, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
March 29, 2006 (Continued)

**D048096 Orange Broadcasting Corporation et al. v. Superior Court of San Diego
County/Mike Halloran**
The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
March 30, 2006

D046309 Irwin et al. v. Jenkins & Gilchrist, LLP et al.

The orders are affirmed. All Appellants are jointly and severally to pay all costs on appeal. Huffman, Acting P.J.; We Concur: McIntyre, J., Aaron, J.

D046786 People v. Bell

The judgment is affirmed. Huffman, Acting P.J.; We Concur: Nares, J., O'Rourke, J.

D046043 People v. Pease

The judgment is affirmed. Nares, J.; We Concur: Huffman, Acting P.J., O'Rourke, J.

D046523 In re Prentes B., a Juvenile

The order declaring Prentes a continuing ward is affirmed. O'Rourke, J.; We Concur: McConnell, P.J., Nares, J.

D045340 Anthony v. Snyder et al./Barratt American, Inc.

The petition is denied. The opinion is modified. (See order). There is no change in judgment.

D048147 Gomez v. Superior Court of San Diego County/People

The petition is denied.

D047791 In re Marcus H., a Juvenile

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is DISMISSED and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 30.3).

D047970 In re Olivarez

The petition is denied.

D047838 Spousta et al. v. Superior Court of San Diego County/Ivanov

The petition is denied.

D047476 Burrill v. County of San Diego

Upon written request filed by appellant, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 20(c)(2)).

D048296 People v. Hays

The notice of appeal is premature because no appealable order or judgment has yet been entered. The appeal is dismissed without prejudice to refile a notice of appeal after an appealable order or judgment has been entered.